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District of Hawaii

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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

RAYMOND WARE,)	CIVIL NO. 04-00671 HG LEK
)	
Plaintiff,)	STIPULATION REGARDING TRIAL
)	EXHIBITS; CERTIFICATE OF
vs.)	SERVICE
)	
MICHAEL CHERTOFF, Secretary,)	Date: February 5, 2008
DEPARTMENT OF HOMELAND)	Time: 9:00 a.m.
SECURITY,)	Judge: Helen Gillmor
Defendant.)	
_____)	

STIPULATION REGARDING TRIAL EXHIBITS

The parties hereby stipulate to as follows with regards to the exhibits to be offered at trial. In addition to the exhibits addressed herein, the parties are discussing stipulations as to other exhibits, and will file an amended stipulation if appropriate:

Plaintiff's Exhibits

As to Plaintiff's Exhibits, Defendant stipulates as follows:

Ex. 1	Authenticity only
Ex. 2	Authenticity only
Ex. 3	Authenticity only

Ex. 4	Authenticity; defendant stipulates to relevancy as to Box 18 (showing lack of investigator contact with employer), but not to remainder
Ex. 5	Authenticity only
Ex. 6	Authenticity only
Ex. 7	Authenticity and relevance
Ex. 8	Authenticity only
Ex. 9	Authenticity only
Ex. 10	Authenticity only
Ex. 11	Withdrawn by plaintiff
Ex. 12	No stipulation
Ex. 13	Withdrawn by plaintiff
Ex. 14	Subject to further discussion
Ex. 15	Authenticity and relevance
Ex. 16	Authenticity only
Ex. 17	Authenticity only
Ex. 18	Authenticity only; offered only for possible impeachment
Ex. 19	Authenticity; offered only for possible impeachment
Ex. 20	Relevant for Judge's potential determination as to special damages, but not relevant for jury jury
Ex. 21	Authenticity and relevance
Ex. 22	No stipulation
Ex. 23	Authenticity; offered only for possible impeachment
Ex. 24	Authenticity only
Ex. 25	Authenticity only
Ex. 26	Authenticity and relevance
Ex. 27	Authenticity only
Ex. 28	Withdrawn by plaintiff
Ex. 29	Authenticity and relevance
Ex. 30	Withdrawn by plaintiff
Ex. 31	Withdrawn by plaintiff
Ex. 32	Authenticity and relevance (Plaintiff will offer into evidence contingent on court's decision of Defendant's Ex. 205)
Ex. 33	Authenticity only
Ex. 34	No stipulation
Ex. 35	Authenticity only
Ex. 36	Subject to further discussion
Ex. 37	Subject to further discussion
Ex. 38	Subject to further discussion
Ex. 39	Subject to further discussion

Ex. 40	Subject to further discussion
Ex. 41	Subject to further discussion
Ex. 42	Subject to further discussion
Ex. 43	Subject to further discussion
Ex. 44	Subject to further discussion_____
Ex. 45	Subject to further discussion

Defendant's Exhibits:

As to Defendant's Exhibits, Plaintiff stipulates as follows

Ex. 200	Relevance only
Ex. 201	Relevance only
Ex. 202	Relevance only
Ex. 203	Relevance only
Ex. 204	Authenticity and relevance
Ex. 205	No stipulation
Ex. 206	Objection to page 1; authenticity and relevance as to page 2
Ex. 207	No stipulation
Ex. 208	Authenticity and relevance
Ex. 209	Subject to further discussion
Ex. 210	Subject to further discussion
Ex. 211	Subject to further discussion
Ex. 212	Subject to further discussion
Ex. 213	Subject to further discussion
Ex. 214	Subject to further discussion _____

DATED: Honolulu, Hawaii, January 15, 2008.

EDWARD H. KUBO, JR.
United States Attorney
District of Hawaii

/s/ Daphne E. Barbee

DAPHNE E. BARBEE
Attorney for Plaintiff
RAYMOND WARE

/s/ Thomas A. Helper

By _____
THOMAS A. HELPER
Assistant U.S. Attorney

Attorneys for Federal
Defendants

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

RAYMOND WARE,)	CIVIL NO. 04-00671 HG LEK
)	
Plaintiff,)	CERTIFICATE OF SERVICE
)	
v.)	
)	
MICHAEL CHERTOFF, Secretary,)	
DEPARTMENT OF HOMELAND)	
SECURITY,)	
Defendant.)	
)	
_____)	

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that, on the date and by the method of service noted below, a true and correct copy of the foregoing was served on the following at their last known address:

Served Electronically through CM/ECF:

Daphne E. Barbee
desekmet@aloha.net

January 15, 2008

DATED: January 15, 2008, at Honolulu, Hawaii.

/s/ Coleen Tasaka-Shoda
